

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

MAR 26 2013

JULIA C. DUDLEY, CLERK
BY: *S. L. D.*
DEPUTY CLERK

JOHN MICHAEL MASON,)	
)	Case No. 7:12-cv-00412
Petitioner,)	
)	
v.)	<u>FINAL ORDER</u>
)	
)	
WARDEN OF SUSSEX I STATE PRISON,)	By: James C. Turk
)	Senior United States D
Respondent.)	

For the reasons set forth in the Memorandum Opinion entered this day, it is hereby
ADJUDGED and **ORDERED** that Respondent's Motion to Dismiss, ECF No. 4, is
GRANTED, and the Petition for a Writ of Habeas Corpus, ECF No. 1, is **DISMISSED**. Further,
the Court finds that Mason has not made the requisite substantial showing of the denial of a
constitutional right as required by 28 U.S.C. § 2253(c) and, therefore, a certificate of
appealability is **DENIED**.

The Clerk is directed to send copies of this Order and accompanying Memorandum Opinion to the Petitioner and counsel of record for the Respondent. The Clerk is further directed to strike this case from the Court's active docket.

ENTER: This 26th day of March, 2013.

James C. Turk
James C. Turk
Senior United States District Judge